

**REGULAR MEETING OF THE
BRIGHAM CITY COUNCIL
JULY 17, 2008**

PRESENT:	Lou Ann Christensen	Mayor
	Bruce Christensen	Councilmember
	Reese Jensen	Councilmember
	Ruth Jensen	Councilmember
	Bob Marabella	Councilmember
ALSO PRESENT:	Rick Bosworth	Human Resource Coordinator
	Jim Buchanan	Emergency Services Director
	Mary Kate Christensen	City Recorder
	Blake Fannesbeck	Public Works Director
	Jared Johnson	Community Development Manager
	Paul Larsen	Economic Development Director
	Bruce Leonard	City Administrator
	Mike Nelsen	Police Lieutenant
	Jim Openshaw	Fleet Manager
	Tyler Pugsley	Public Works Assistant Director
	Dennis Sheffield	Finance Director
	Alan Wright	Public Power Director
EXCUSED:	Scott Ericson	Councilmember

Mayor Christensen called the meeting to order and excused Councilmember Ericson, who was out of town. The Reverence Period was given by Alan Wright. The scouts in the audience led the Pledge of Allegiance.

Approval of Minutes: Councilmember Christensen stated that he is listed as absent and Councilmember Reese Jensen was listed as present. It should be the other way around. A motion to approve the minutes of June 26, 2008 Council meeting was made by Councilmember Christensen. The motion was seconded and carried.

PRESENTATIONS

Recognition of Individuals Contributing to the Restoration of the Relief Society Granary

Mr. Bob Folkman, representing the Sons of Utah Pioneers, came forward and stated that Chuck Kellogg and Duane Phippen volunteered to restore the Relief Society Granary and went above and beyond anything anyone expected. The building had been used as storage for the Middle School and was in severe disrepair. They have spent hundreds of hours restoring this historic building. Mayor Christensen came forward and presented certificates of appreciation to Mr. Kellogg and Mr. Phippen. The building will be open for tours on the 24th of July and during Peach Days. Other tours can be scheduled or anytime the door is open, people are welcome to come in.

Mayor Christensen presented the agenda as follows:

PUBLIC COMMENT

CONSENT

- Request to Write Off Accounts Due to Customer Taking Out Bankruptcy or Being Sent to Collections
- New Hire, Electric Department
- New Hires, Electric Department
- New Hires, Public Works
- Request for Approval of Resolution Increasing Storm Drain Utility Fees
- Request for Approval of Resolution Increasing Electric Rates
- Request for Approval of Resolution Increasing Sewer Rates
- Request for Approval of Resolution Increasing Garbage and Waste Recycling Container Rental Fees
- Request for Approval of Resolution Increasing Water Rates
- Request to Purchase Patrol Car to Replace Totaled Vehicle Using Sale of Assets Funds

SCHEDULED DELEGATION

- Report on 2006 Olympian Legacy Grant Project - Western Birding Symposium

Report on 2006 Olympian Legacy Grant Project - Pregnancy Care Center
Report on 2006 Olympian Legacy Grant Project - Family Support Center
Report on 2006 Olympian Legacy Grant Project - Heritage Arts Festival
Presentation on Upland Square

NEW BUSINESS

Request for Approval of the North Point Subdivision, Phase 1, Located at the Intersection of SR-13 and SR-38
Request for Approval of Resolution Authorizing Submission of an Access Application for 1000 West 1100 South
Request for Approval of Interlocal Agreement Between Brigham City and Box Elder County
Redevelopment Agency for Bonds for the Procter and Gamble Project
Request Authorization to Have Mural Painted on Outside of Restroom Facility at Constitution Park

UNFINISHED BUSINESS

Request for Approval of City License with Mark Parker for Submersible Water Ski Course at Mantua Reservoir
Update on the Gunther Collection

MAKING LIFE BETTER - DEPARTMENT REPORTS

OTHER BUSINESS

CLAIMS

Payment Register

EXECUTIVE SESSION

Discussion on the Purchase, Exchange or Lease of Real Property
Discussion on the Character, Professional Competence or Physical or Mental Health of an Individual

Councilmember Reese Jensen made a motion to approve the agenda as amended. The motion was seconded and carried unanimously.

PUBLIC COMMENT

There were no comments from the public.

CONSENT

Request to Write-off Accounts Due to Resident Taking Out Bankruptcy or Being Sent to Collections

A list of accounts totaling \$4,675.41 was presented to be removed from the City's system due to the customer taking out bankruptcy or being sent to collections.

New Hire, Electric Department

It was recommended Kevin Reese be hired as an Electric Lineman, Journey Level, Grade 65 effective August 4, 2008.

New Hires, Electric Department

It was also recommended that Cameron Carrigan and Leon Greer be hired as Electric Linemen, Journey Level, Grade 65, effective July 21, 2008.

New Hires, Public Works

It was recommended that Jason Butler be approved for hire as Water Systems Operator I, Grade 33, and Eric Freeze as Refuse Collection Operator I, Grade 45, and Tyrell Udy as Equipment Operator I, Grade 38, effective July 21, 2008.

Request for Approval of Resolution Increasing Storm Drain Utility Fees

This resolution increases storm drain utility fees by 2.8% to \$6.62 per month, as discussed in the 2008-09 budget process and as implemented in the budget.

Request for Approval of Resolution Increasing Electric Rates

It was requested a resolution be approved to increase electric rates as discussed in the budget process.

Request for Approval of Resolution Increasing Sewer Rates

This is an increase of 2.8% for sewer rates as also discussed during the budget process, bringing the monthly rate to \$26.35 for single and multi-family units, with an additional fee of \$25.67 for each unit after three units and \$6.99 for each unit in excess of five units.

Request for Approval of Resolution Increasing Garbage and Waste Recycling Container Rental Fees

This resolution increases fees for garbage and waste recycling container rental fees to \$8.90 per residential unit and \$45.21 for a 300-gallon container. These rates were also discussed during the budget process.

Request for Approval of Resolution Increasing Water Rates

This resolution revised the rate for water service, depending on usage and size of the line. It increases all rates by 2.8%.

Request to Purchase Patrol Car to Replace Totaled Vehicle Using Sale of Assets Funds

It was requested that \$12,500 be used from the sale of asset fund to purchase a patrol car to replace a totaled vehicle that was involved in an accident.

MOTION: A motion to approve the Consent Agenda was made by Councilmember Reese Jensen, seconded by Councilmember Marabella and unanimously carried.

SCHEDULED DELEGATION

Report on 2006 Olympian Legacy Grant Project

Ms. Marlene Berger came forward and stated that they used the \$5,000 received from the City to put on a Western Birding Symposium. They also received funds from the County. She admitted that it was not as well attended as they had hoped, but those that did attend received excellent training. If they do this again, they will do a better marketing plan. She thanked the Mayor and Council for this grant.

Report on 2006 Olympian Legacy Grant Project

Wendy Moffitt from the Pregnancy Care Center came forward and reported that they used the \$500 from the Olympian Legacy Grant for their abstinence education program, advocating sexual abstinence for singles. This is a unique program to this County. This program was provided to junior high and high school students and was well received. The program has been very successful.

Report on 2006 Olympian Legacy Grant Project

Katy Bonds, representing the Family Support Center, approached the Council and reported that they used the \$1,500 received from the grant to install a sidewalk with low rising, long steps on both sides to the main entrance of their facility. Before this was installed, patrons had to walk on the driveway. This has created a much safer situation for their patrons, especially in winter.

Report on 2006 Olympian Legacy Grant Project

Beth Gurrister from the Heritage Arts Festival Committee came forward and stated that the Committee used the \$5,000 from the grant to enhance the 2006 Heritage Arts Festival. She reported that the festival was well attended and was a great success. She said using the 2002 Olympic money for grants was a wonderful idea and was appreciated by the Committee.

Presentation on Upland Square

Mr. Paul Morris came forward and updated the Council on a proposed project at 1100 South 1200 West, west of Wal-Mart. It consists of 125 acres, of which 45 acres are in Perry and 80 acres in Brigham City. This will consist mainly of commercial buildings, but could also have some residential. Some of the challenges with the project are wetlands and traffic flow, but they feel this can be worked out.

Corey Shupe presented an architect's drawing of the project. They have done a lot of research, a lot of engineering, and market studies to find out what will fit in this space, but also what will benefit the community and what will work in the community. There has been a lot of interest shown in this area, including a big box

retail, a hotel and restaurants. Market research has indicated that residential will also would work in this area.

Mr. Morris said one of the things that needs to happen before this project can go forward is to have an access onto 1100 South. They are asking the City, as the local municipality, to request this access from the Utah Department of Transportation. There will be no cost to submit the application and no cost for the City at all, just staff time to prepare the application. He added that an access onto 1100 South at 1200 West is anticipated in Brigham City's General Plan.

Another concern is the wetlands issue. They plan to begin the process of delineation this fall. This usually takes about six month.

Mr. Morris stated they will come back to the Council at a later date to ask for a development agreement. This works well for the City because they know for sure what the development will look like, and it is good for the developer because they get an invested right and they know the rules will not change when City Administration changes. They will also request that the City form an Economic Development Area on the property.

Mayor Christensen said there is already a lot of traffic on 1100 South. She asked if there will be a traffic light at this intersection. Mr. Morris replied that there will need to be a traffic light.

NEW BUSINESS

Request for Approval of the North Point Subdivision, Phase 1, Located at the Intersection of SR-13 and SR-38

Mr. Johnson came forward and stated this first phase consists of 37 parcels and 35 lots. There is an escrow agreement with the subdivision and the developer has agreed to its terms. The Army Corps of Engineers has given their approval for the development.

MOTION: Councilmember Marabella made a motion to approve the North Point Subdivision, Phase 1, subject to the City Attorney signing the plat. The motion was seconded by Councilmember Reese Jensen. Voting was as follows:

Councilmember Christensen - aye
Councilmember Reese Jensen - aye
Councilmember Ruth Jensen - aye
Councilmember Marabella - aye

Request for Approval of Resolution Authorizing Submission of an Access Application for 1000 West 1100 South

Mr. Larsen approached the Council and stated that this access application is for the development of Upland Square as discussed by Mr. Morris. Included with the application should be a traffic impact analysis, which the engineer has produced, and the site plans for the development. This access is part of the City's General Plan. It will not only serve this development, it will eventually be a north/south transportation corridor from the road that connects I-15 and Hwy 89 by the Flying J in Willard to SR-13.

Councilmember Marabella said although he is in favor of the access road, he felt that the Council has received a lot of information on the Upland Square Development in a short amount of time and suggested a work session be scheduled to receive more details. The Council set a work session for September 18 at 5:30 to discuss this further.

MOTION: Councilmember Reese Jensen moved to approve the resolution authorizing submission of an access application for 1000 West 1100 South, seconded by Councilmember Marabella. The motion carried with the following vote:

Councilmember Christensen - aye
Councilmember Reese Jensen - aye
Councilmember Ruth Jensen - aye
Councilmember Marabella - aye

Request for Approval of Interlocal Agreement Between Brigham City and Box Elder County Redevelopment Agency (RDA) for Bonds for the Procter and Gamble Project

Mr. Sheffield came forward and explained that this agreement states that the Box Elder County RDA will secure the tax increments they collect from the P&G Project minus a 5% administration fee to secure the bonds Brigham City has obtained from the Board of Water Resources and the Community Impact Board. This agreement was drafted by the City's bond attorneys. This will go before the County RDA for adoption on July 22, 2008.

MOTION: Councilmember Christensen made a motion to approve the interlocal agreement between Brigham City and the Box Elder County RDA for bonds for the P&G Project. Councilmember Reese Jensen seconded the motion.

Councilmember Christensen - aye

Councilmember Reese Jensen - aye

Councilmember Ruth Jensen - aye

Councilmember Marabella - aye

Motion carried with a 4-0 vote.

Request Authorization to Have Mural Painted on Outside of Restroom Facility at Constitution Park

Councilmember Ruth Jensen explained that at a recent Neighborhood Pride meeting it was suggested that a mural be painted on the outside of the restroom facilities at Constitution Park. She distributed a rendition of the proposed mural. Natalie Gilbert, a local artist, has volunteered to do the painting free of charge. The Rotary Club has agreed to pay for supplies.

MOTION: Councilmember Christensen made a motion to authorize a mural be painted on the outside of the restroom facilities at Constitution Park. The motion was seconded by Councilmember Marabella. The motion carried with the following vote:

Councilmember Christensen - aye

Councilmember Reese Jensen - aye

Councilmember Ruth Jensen - aye

Councilmember Marabella - aye

UNFINISHED BUSINESS

Request for Approval of City License with Mark Parker for Submersible Water Ski Course at Mantua Reservoir

Mr. Fannesbeck said Mr. Parker has agreed to the terms of the contract for the submersible water ski course. The contract states that Mr. Parker has to provide liability insurance, the City will do an inspection of the course, and Mr. Parker will provide the City with proof that the course is being maintained. The contract also states that the course cannot be for commercial purposes. This is for a term of one year.

MOTION: Councilmember Christensen made a motion to approve the license with Mark Parker for a submersible water ski course at Mantua Reservoir. Councilmember Reese Jensen seconded the motion.

Councilmember Christensen - aye

Councilmember Reese Jensen - aye

Councilmember Ruth Jensen - aye

Councilmember Marabella - aye

Motion carried with a 4-0 vote.

Update on the Gunther Collection

Councilmember Reese Jensen said the Gunther Collection is currently being stored temporarily at the airport. The Task Force has met several times and discussed some options. The biggest concern is that there is no money available to provide some place to store the collection permanently, and there would have to be someone manning the collection. They have looked at a few private buildings that would have worked but it would have cost money to rent the facilities. Mike Hollingsworth, a member of the Task Force, talked to the

media directors at the Adele C. Young Middle School and the Intermediate School and they were very receptive to displaying the collection at the media center at both schools. They told Mr. Hollingsworth that they had room for the collection and they were excited to make it accessible to the students. The Task Force will meet with the media directors on July 21. He added that this would not satisfy the terms of the agreement to have a permanent display within seven years. After that time if there is not a permanent display for the collection, the Gunthers have the right to give the collection to someone else. There is a possibility the new high school could accommodate the entire collection. The architects are looking at incorporating this into their plans.

MAKING LIFE BETTER - DEPARTMENT REPORTS

Mayor Christensen reported that Senator Hatch met with her last week. It was a real pleasure and opportunity to have him in Brigham City. They talked about Rocky Mountain Power, commuter rail, the Bear River Access Road, airport enhancements, natural resources conservation, the 595 grants, the regional innovation center, the learning center, Academy Square, Emergency Management Performance Grants, brown fields assessment project and law enforcement concerns. He was very reception and interested in anything he could do to help Brigham City. He was very impressed with everything that is going on in Brigham City.

Lt. Nelsen came forward and distributed a flyer for their 5th Annual Night Out Against Crime on August 5 from 5:00-7:30. There will be representatives from Neighborhood Watch, VIPS, Police, Fire, Electric Department, Parks and Recreation and other organizations such as Work Force Service, Your Community in Unity, Family Support Center, etc. There will be hot dogs and ice cream available.

Mr. Fonnesbeck reported that they are getting ready to start the street maintenance program in August. Brigham City has very well maintained streets and this maintenance program is a big part of it. They are doing three things as part of the program: 1 3/4 miles of asphalt overlay in various locations; 1 1/2 miles of slurry seal; 1 1/2 miles of GSB 88. This GSB 88 has never been used in Brigham. It is used within a year or two of an overlay. It soaks into the first 1/8 or 1/4 inch and then hardens and holds better than an overlay.

Mr. Fonnesbeck also reported that the sewer portion of the Wakegan Project will start next week. Whitaker Construction will have four crews on the project. The project deadline is December 31, 2008.

The City received approval to begin the Box Elder Creek Restoration Project with the NRCS grant. Most of this will be done with City crews. This has to be done by September 1.

Mr. Fonnesbeck stated that during a routine inspection, they found that the bridge over the Box Elder Creek on 400 North between 100 and 200 East has some major structural problems. It is losing concrete underneath it and the rebar is exposed. The City Engineer recommended that a 5-ton limit be imposed. A structural engineer will be hired to look at it and determine if an emergency replacement needs to be done or if it is something that can be budgeted in next year's budget. Estimates are from \$75,000-\$100,000.

CLAIMS

Payment Register

Councilmember Marabella moved to approve General Claims dated June 24, 2008 in the amount of \$411,174.78; for June 30, 2008, \$24,172.81; July 2, \$44,055.33; Miscellaneous Claims dated June 30, 2008 in the amount of \$140,143.88; July 9, \$280,312.45. The motion was seconded and carried.

A motion to adjourn to an Executive Session was made by Councilmember Ruth Jensen. The Mayor called for a roll call vote; all councilmembers voted aye. The meeting adjourned to an Executive Session at 9:01 p.m.